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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/707,576

11/06/2000

Charles L. Magness

55382-3

9656

7590  
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05/13/2009

EXAMINER

SKIBINSKY, ANNA

ART UNIT

PAPER NUMBER

1631

MAIL DATE

DELIVERY MODE

05/13/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09707576	11/6/2000	MAGNESS ET AL.	55382-3

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**EXAMINER**

ANNA SKIBINSKY

ART UNIT	PAPER
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1631	20090504
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DATE MAILED:

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**Commissioner for Patents**

The IDS of 3/6/2009 was submitted after final and therefore Applicants must comply with the provisions of 1.97(d). In addition to the 1.17(p) fee -- which was paid -- Applicants must also submit a statement per 1.97(e). Such a statement was not included or filed on record. Therefore the IDS is non-compliant, and according to 1.97(i) the IDS has been placed on file without having been considered. The lined through IDS has been filed.

Furthermore, the Board has indicated in their letter of 4/14/2009 that the IDS of 2/24/06 was not considered. The instnat IDS of 2/24/2006 has now been considered.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anna Skibinsky whose telephone number is (571) 272-4373. The examiner can normally be reached on 8 am - 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel can be reached on (571) 272-0781. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anna Skibinsky  
Examiner

/Lori A. Clow/  
Primary Examiner, Art Unit 1631